

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rabbani et al.

Application No.: 08/978,632 Group Art Unit: 1635

Filed: November 25, 1997 Examiner: A. Bowman

For: **NOVEL PROPERTY EFFECTING AND/OR PROPERTY EXHIBITING
COMPOSITIONS FOR THERAPEUTIC AND DIAGNOSTIC USES**

Confirmation No.: 4638

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references listed below are copies of Office Actions issued on the merits in related applications. The above-referenced application is a continuation of application serial no. 08/574,443. Applicants note that application serial nos. 08/978,633; 08/978,634; 08/978,636; 08/978,635; 08/978,637; 08/978,638 and 08/978,639 are divisional applications of application serial no. 08/574,443. Application serial nos 08/978,635 and 08/978,639 have been abandoned. Applicants note that additional applications have been filed: 11/929, 897, a continuation of the above-referenced application; 11/925,929, a continuation of 08/978,636; 11/929,055, a

continuation of 08/978,637; and 11/927,676, a continuation of 08/978,638; no Office Actions have issued in any of these applications.

Prosecution in related applications

Pat. App. No. 08574443 (Attny. Dkt. No.ENZ-53) Non-Final Rejection 1999-02-19
Pat. App. No. 08574443 (Attny. Dkt. No.ENZ-53) Non-Final Rejection 1996-11-258

Pat. App. No. 08978633 (Attny. Dkt. No.ENZ-53-D1) Non-Final Rejection 2003-04-08
Pat. App. No. 08978633 (Attny. Dkt. No.ENZ-53-D1) Final Rejection 2000-12-18
Pat. App. No. 08978633 (Attny. Dkt. No.ENZ-53-D1) Final Rejection 2000-06-05
Pat. App. No. 08978633 (Attny. Dkt. No.ENZ-53-D1) Final Rejection 1999-11-09
Pat. App. No. 08978633 (Attny. Dkt. No.ENZ-53-D1) Non-Final Rejection 1999-02-16

Pat. App. No. 08978634 (Attny. Dkt. No.ENZ-53-D2) Non-Final Rejection 2006-01-07
Pat. App. No. 08978634 (Attny. Dkt. No.ENZ-53-D2) Final Rejection 2005-10-21
Pat. App. No. 08978634 (Attny. Dkt. No.ENZ-53-D2) Non-Final Rejection 2003-03-25
Pat. App. No. 08978634 (Attny. Dkt. No.ENZ-53-D2) Final Rejection 2000-12-19
Pat. App. No. 08978634 (Attny. Dkt. No.ENZ-53-D2) Final Rejection 2000-06-05
Pat. App. No. 08978634 (Attny. Dkt. No.ENZ-53-D2) Final Rejection 1999-11-09
Pat. App. No. 08978634 (Attny. Dkt. No.ENZ-53-D2) Non-Final Rejection 1999-02-17

Pat. App. No. 08978646 (Attny. Dkt. No.ENZ-53-D3) Final Rejection 2007-12-26
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Non-Final Rejection 2007-04-04
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Final Rejection 2006-06-27
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Non-Final Rejection 2005-31-05
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Final Rejection 2004-07-15
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Non-Final Rejection 2003-04-09
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Final Rejection 2000-12-19
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Final Rejection 2000-06-05
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Final Rejection 1999-11-10
Pat. App. No. 08978636 (Attny. Dkt. No.ENZ-53-D3) Non-Final Rejection 1999-02-18

Pat. App. No. 08978635 (Attny. Dkt. No.ENZ-53-D4) Non-Final Rejection 2003-04-01
Pat. App. No. 08978635 (Attny. Dkt. No.ENZ-53-D4) Final Rejection 2001-01-17
Pat. App. No. 08978635 (Attny. Dkt. No.ENZ-53-D4) Final Rejection 2000-06-21
Pat. App. No. 08978635 (Attny. Dkt. No.ENZ-53-D4) Final Rejection 1999-11-24
Pat. App. No. 08978635 (Attny. Dkt. No.ENZ-53-D4) Non-Final Rejection 1999-02-16

Pat. App. No. 08978637 (Attny. Dkt. No.ENZ-53-D5) Non-Final Rejection 2007-04-04
Pat. App. No. 08978637 (Attny. Dkt. No.ENZ-53-D5) Final Rejection 2006-04-21
Pat. App. No. 08978637 (Attny. Dkt. No.ENZ-53-D5) Non-Final Rejection 2005-07-29
Pat. App. No. 08978637 (Attny. Dkt. No.ENZ-53-D5) Final Rejection 2004-02-11
Pat. App. No. 08978637 (Attny. Dkt. No.ENZ-53-D5) Non-Final Rejection 2003-05-01
Pat. App. No. 08978637 (Attny. Dkt. No.ENZ-53-D5) Final Rejection 2000-12-19
Pat. App. No. 08978637 (Attny. Dkt. No.ENZ-53-D5) Final Rejection 2000-06-05

Pat. App. No. 08978637 (Attny. Dkt. No. Enz-53-D5) Final Rejection 1999-11-09
Pat. App. No. 08978637 (Attny. Dkt. No. Enz-53-D5) Non-Final Rejection 1999-02-17

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2007-10-04
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 2007-01-03
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 2005-05-04
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2003-12-19
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 2003-03-25
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2001-01-17
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2000-06-20
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 1999-11-23
Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 1999-02-17

Pat. App. No. 08978639 (Attny. Dkt. No. Enz-53-D7) Non-Final Rejection 2007-01-03
Pat. App. No. 08978639 (Attny. Dkt. No. Enz-53-D7) Non-Final Rejection 2005-05-04

Form PTO/SB0/08a also lists non-patent literature that have not been made of record.
Some of these non-patent literature have been submitted previously. Those submitted herewith
are listed below:

Other non-patent references

WYATT et al. Virology 210: 202-205. 1995
MANSKY et al. J. Virol. 69: 5087-5094. 1995
JUNKER et al. Gene Therapy 2: 639-645. 1995
WOLFE et al. Nucleic Acids Res. 22: 3147-3150. 1994
BUCHHOLZ et al. Virology 204: 770-776. 1994
HO et al. FEBS 301: 303-306. 1992
PATTHAIK et al. Proc. Natl. Acad. Sci. USA 88: 1379-1383. 1991
KARSCHIN et al., FEBS 278: 229-233. 1991
SULLENGER et al. Mol. Cell. Biol. 10: 6512-6523. 1990
MOSS et al. Nature 348: 91-92. 1990
ELROY-STEIN Proc. Natl. Acad. Sci. USA 87: 6743-6747. 1990
BUONOCORE et al. Nature 345: 625-628. 1990
07446235 1989-12-04 Brakel et al.
EDLIND et al. J. Bacteriol. 145: 1436-1441. 1981

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

The Information Disclosure Statement submitted herewith is being filed

☒ [x] after submitting the RCE but before any subsequent Office Action

☐ [] before the mailing date of a first Office Action on the merits

☐ [] after the mailing date of a first Office Action on the merits. Please charge the fee of \$180 to deposit account no. 05-1135.

Respectfully submitted,

Date: **January 10, 2008**

/Cheryl H Agris/

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